

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE MINNESOTA DEPARTMENT OF HUMAN RIGHTS

Darrell Ketchum,

Complainant,

vs.

Sims Deltec, Inc.,

Respondent.

-  
-  
NOTICE OF AND ORDER FOR  
HEARING

TO: The above-named Complainant and his Attorney, Michelle M. Lore, Horton & Associates, 700 Title Insurance Building, 400 Second Avenue South, Minneapolis, Minnesota 55401, and the Respondent and its Attorney, Lisa Hurwitz Dercks, Doherty, Rumble & Butler, 3500 Fifth Street Towers, 150 South Fifth Street, Minneapolis, Minnesota 55402-4235:

NOTICE IS HEREBY GIVEN that the Deputy Commissioner of Human Rights has referred the above-entitled matter to the Office of Administrative Hearings for hearing pursuant to Minn. Stat. § 363.071, subd. 1a. This matter involves the attached charge of discrimination filed by the Complainant with the Minnesota Department of Human Rights on or about September 21, 1994, alleging that the Respondent illegally discriminated against him in the area of employment because of sex and that the Respondent illegally engaged in acts of reprisal against him.

IT IS HEREBY ORDERED AND NOTICE IS GIVEN that a Prehearing Conference in this matter will be held on Wednesday, June 28, 1995, at 2:30 p.m. in the Courtrooms of the Office of Administrative Hearings in Minneapolis, Minnesota, for the purpose of defining the issues and establishing discovery, motion, and hearing schedules. The parties are not required to appear at the Prehearing Conference if they are represented by counsel.

IT IS FURTHER ORDERED AND NOTICE IS GIVEN that a hearing in this matter will be held at a time and place to be determined by the Administrative Law Judge.

IT IS FURTHER ORDERED AND NOTICE IS GIVEN that, within ten days after service of the Notice of and Order for Hearing, the Complainant shall file with the Administrative Law Judge and serve upon the Respondent a Complaint in this matter, and within twenty days thereafter, the Respondent shall file with the Administrative Law Judge and serve upon the Complainant an Answer to the Complaint.

**The parties are urged to attend these proceedings; failure to do so may prejudice your rights in this and any subsequent proceedings. If the Complainant fails to appear, the charge may be dismissed. If the Respondent fails to appear, a finding may be made that the Complainant's allegations are true without a presentation of further evidence except as to damages.**

The issues to be determined at the hearing appear to be the following:

1. Whether the Respondent discriminated against the Complainant in employment on account of sex, in violation of Minn. Stat. § 363.03, subd. 1(2)(b) and (c);
2. Whether the Respondent engaged in any acts of reprisal against the Complainant in violation of Minn. Stat. § 363.03, subd. 7(1); and
3. If it is determined that the Respondent violated the above provisions of Chapter 363 of the Minnesota Statutes, whether the Respondent is subject to any of the penalties and whether the Complainant is entitled to any of the relief provided by Minn. Stat. § 363.071, subds. 1a and 2.

Barbara L. Neilson, Administrative Law Judge, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 612/341-7604, will preside as Administrative Law Judge at the Prehearing Conference, the hearing, and all other aspects of this proceeding, unless the parties are notified otherwise.

At the hearing in this matter, each party will have the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine any witnesses. All parties shall bring to the hearing all documents, records, and witnesses needed to support their position. The attendance of witnesses or the production of documents may be compelled by a subpoena issued pursuant to Minn. Rules pt. 1400.7000. All parties may retain legal counsel for this proceeding, represent themselves, or be represented by another person of their choice, if such representation is not otherwise prohibited as the unauthorized practice of law.

The hearing will be conducted in accordance with Minn. Stat. §§ 14.57 - 14.69 and 363.071, Minn. Rules pts. 1400.5100 - 1400.8402, and the applicable portions of Minn. Rules pts. 5000.0050 - 5000.2400. Copies of those rules may be obtained from the Minnesota Book Store, 117 University Avenue, St. Paul, Minnesota 55155, telephone 612/297-3000. Any party who intends to appear at the hearing is required by Minn. Rules pt. 1400.5700 to file a Notice of Appearance with the Administrative Law Judge within 20 days after service of this Notice of and Order for Hearing.

Please be advised that if "not public" data is admitted into evidence, it may become public data unless an objection is made and relief is requested under Minn. Stat. § 14.60, subd. 2.

If you need an accommodation in order to participate in this hearing process, call: voice: 612/341-7610; TDD: 612/341-7346.

Dated this\_\_\_\_\_ day of May, 1995.

s/ Kevin E. Johnson  
KEVIN E. JOHNSON  
Chief Administrative Law Judge

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE MINNESOTA DEPARTMENT OF HUMAN RIGHTS

Darrell Ketchum,

Complainant,

vs.

Sims Deltec, Inc.,

Respondent.

-

-

NOTICE OF APPEARANCE

TO: Administrative Law Judge Barbara L. Neilson, 100 Washington Square,  
Suite 1700, Minneapolis, Minnesota 55401-2138:

PLEASE TAKE NOTICE that the party named below will appear at the  
prehearing conference and subsequent proceedings in the above-entitled matter.

Name, Address, and Telephone Number of Party:

---

---

---

Party's Attorney, Office Address and Telephone Number:

---

---

---

---

Signature of Party or  
Attorney:

---

Dated: \_\_\_\_\_.